

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

204326US-8X

First Inventor or Application Identifier

BRETT JENKINS

Title

SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR  
WIRELESS DATA TRANSMISSION OVER CONVENTIONAL TELEVISION  
FREQUENCY BANDS

Assignee Name OPEN PIT NETWORK, INC.

Assignee Address: 104 Feeding Hills Road, Southwick, MA 01077

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2. ☒ Specification Total Sheets **35**

3. ☒ Formal Drawing(s)  
(35 U.S.C. 113) Total Sheets **30**

4. ☐ Oath or Declaration Total Pages   
a. ☐ Newly executed (original or copy)  
b. ☐ Copy from a prior application (37 C.F.R. §1.63(d))  
(for continuation / divisional w/ box 17 completed)  
i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in  
the prior application, see 37 C.F.R. §1.63(d)(2) and  
1.33(b).  
5. ☐ CD-ROM or CD-R in duplicate, large table or Computer  
Program (Appendix)  
6. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)  
a. ☐ Computer Readable Form (CRF)  
b. Specification or Sequence Listing on:  
i. ☐ CD-ROM or CD-R (2 copies); or  
ii. ☐ Paper  
c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

7. ☒ Assignment Papers were recorded at Reel/Frame  
011316/0272  
8. ☒ Application Data Sheet. See 37 CFR 1.76  
9. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)  
10. ☐ English Translation Document (if applicable)  
11. ☐ Information Disclosure  
Statement (IDS)/PTO-1449 ☐ Copies of IDS  
Citations  
12. ☐ Preliminary Amendment  
13. ☒ White Advance Serial No. Postcard  
14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)  
15. ☐ Applicant claims small entity status.  
See 37 CFR 1.27  
16. ☒ Other: Request for Priority  
List of Inventors

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application no.:

Prior application information: Examiner:

Group Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. Amend the specification by inserting before the first line the sentence:

- ☐ This application is a ☐ Continuation ☐ Division ☐ Continuation-in-part (CIP)  
of application Serial No. Filed on  
☐ Which was published in English  
☐ Which was not published in English  
☒ This application claims priority of provisional application Serial No. 60/216,769 Filed July 7, 2000

**19. CORRESPONDENCE ADDRESS**



**22850**

(703) 413-3000

FACSIMILE: (703) 413-2220

Name:	Bradley D. Lytle	Registration No.:	40,073
Signature:		Date:	July 9, 2001

Docket No. 204326US-8X

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTOR(S) BRETT JENKINS ET AL

SERIAL NO: New Application

FILING DATE: Herewith

FOR: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR WIRELESS DATA  
TRANSMISSION OVER CONVENTIONAL TELEVISION FREQUENCY BANDS

**FEE TRANSMITTAL**

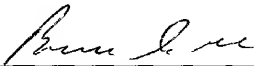
ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	34 - 20 =	14	× \$18 =	\$252.00
INDEPENDENT CLAIMS	3 - 3 =	0	× \$80 =	\$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS (If applicable)			+ \$270 =	\$0.00
<input checked="" type="checkbox"/> LATE FILING OF DECLARATION			+ \$130 =	\$130.00
BASIC FEE				\$710.00
TOTAL OF ABOVE CALCULATIONS				\$1,092.00
<input type="checkbox"/> REDUCTION BY 50% FOR FILING BY SMALL ENTITY				\$0.00
<input type="checkbox"/> FILING IN NON-ENGLISH LANGUAGE			+ \$130 =	\$0.00
<input type="checkbox"/> RECORDATION OF ASSIGNMENT			+ \$40 =	\$0.00
TOTAL				\$1,092.00

- ☐ Please charge Deposit Account No. 15-0030 in the amount of \_\_\_\_\_ A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of **\$1,092.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Bradley D. Lytle  
Registration No. 40,073

Date: July 9, 2001



**22850**

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(OSMMN 10/00)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: BRETT JENKINS ET AL

GAU: UNASSIGNED

SERIAL NO: NEW APPLICATION

EXAMINER: UNASSIGNED

FILED: HEREWITH

FOR: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR WIRELESS DATA TRANSMISSION  
OVER CONVENTIONAL TELEVISION FREQUENCY BANDS

REQUEST FOR PRIORITY

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

- ☐ Full benefit of the filing date of U.S. Application Serial Number, filed, is claimed pursuant to the provisions of **35 U.S.C. §120**.
- ☒ Full benefit of the filing date of U.S. Provisional Application Serial Number 60/216,769, filed July 7, 2000, is claimed pursuant to the provisions of **35 U.S.C. §119(e)**.
- ☐ Applicants claim any right to priority from any earlier filed applications to which they may be entitled pursuant to the provisions of **35 U.S.C. §119**, as noted below.

In the matter of the above-identified application for patent, notice is hereby given that the applicants claim as priority:

<u>COUNTRY</u>	<u>APPLICATION NUMBER</u>	<u>MONTH/DAY/YEAR</u>
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Certified copies of the corresponding Convention Application(s)

- ☐ are submitted herewith
- ☐ will be submitted prior to payment of the Final Fee
- ☐ were filed in prior application Serial No. filed
- ☐ were submitted to the International Bureau in PCT Application Number .  
Receipt of the certified copies by the International Bureau in a timely manner under PCT Rule 17.1(a) has been acknowledged as evidenced by the attached PCT/IB/304.
- ☐ (A) Application Serial No.(s) were filed in prior application Serial No. filed ; and  
(B) Application Serial No.(s)
- ☐ are submitted herewith
- ☐ will be submitted prior to payment of the Final Fee

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Bradley D. Lytle

Registration No. 40,073



22850

Docket No. 204326US-8X

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: BRETT JENKINS ET AL

FILING DATE: Herewith

FOR: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR WIRELESS DATA  
TRANSMISSION OVER CONVENTIONAL TELEVISION FREQUENCY BANDS

**LIST OF INVENTORS' NAMES AND ADDRESSES**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Listed below are the names and addresses of the inventors for the above-identified patent application.

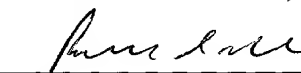
BRETT JENKINS  
JERRY D. CHASE  
WAYNE R. HOFFMAN  
PAUL CORREA

WEST SPRINGFIELD, MA  
AVON, CT  
LONGMEADOW, MA  
KINGSTON, PA

A declaration containing all the necessary information will be submitted at a later date.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Bradley D. Lytle  
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106040 "ET" 00650



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